

## **Section II. Remarks**

### **A. Status of Claims 1-20**

Claims 1, 10, 12-18 and 20 have been amended; claim 9 has been cancelled (as redundant to claim 8); claims 21-27 are newly presented; and claims 19-20 were previously withdrawn by the examiner.

The issues raised by the examiner in the August 9, 2005 Office Action are addressed below, with a discussion of the reasons why the pending claims patentably distinguish over the teachings of US 5,377,708 to Bergman et al. ("Bergman") and US 4,220,511 to Derbyshire et al. ("Derbyshire").

### **B. Improper Restriction and Withdrawal of Claim 20**

Prior to their amendment herein, claims 1 and 20 were subject to a restriction requirement that was originally imposed in the February 10, 2005 Office Action and was maintained in the October 9, 2005 Office Action. The arguments previously presented by Applicant about the impropriety of the restriction and withdrawal of claim 20 remain apposite here.

The examiner is respectfully reminded of the fact that there is no prohibition against substantively examining multiple independent claims directed to the same invention in a single U.S. patent application. Indeed, the standard filing fees associated with a non-utility application cover up to three (3) independent claims and twenty (20) total claims. If appropriate claim fees are paid, there is no prohibition against filing and prosecuting more than 3 independent claims.

Such as was done previously, a tabular comparison of the language of claims 1 and 20 shows that these claims are NOT "independent and distinct" in relation to each other.

Claim 1 recites "heating a polytetrafluoroethylene material to an elevated temperature"	Claim 20 recites "exposing the [polytetrafluoroethylene] film to a temperature in a range of from about 150°C to about 250°C"
Claim 1 recites "maintaining said heating"	Claim 20 recites "exposing the film to a temperature in a range of from about 150°C to about 250°C for a time greater than 20 hours"
Claim 1 recites "for a time sufficient to substantially reduce a particle count character of the polytetrafluoroethylene material"	Claim 20 recites "for a time greater than 20 hours, sufficient to reduce particle count of said film to below 10 particles/ml of particles having a diameter of 0.2 micron"
Claim 1 recites "fabricating a finished article comprising the polytetrafluoroethylene material"	Claim 20 recites "fabricating a finished article comprising the polytetrafluoroethylene film"
Claim 1 recites "contacting at least one surface of the finished article comprising the polytetrafluoroethylene material with a substance substantially free of contaminants"	Claim 20 recites "contacting at least one surface of the finished article comprising the polytetrafluoroethylene film with a substance substantially free of contaminants"

35 USC §121 provides that

"[I]f two or more independent and distinct inventions are claimed in one application, the Director may require the application to be restricted to one of the inventions."

Thus, in order for a restriction to be legally permissible, there must be "independent and distinct inventions." Since claims 1 and 20 are not "independent and distinct," there is no tenable basis for the restriction and withdrawal of claim 20; such action should be rescinded, and Applicant renews the request that claim 20 be restored to active status for examination and allowance.

### **C. Applicant's Invention**

Polytetrafluoroethylene (PTFE) is used as a structural and coating material in innumerable applications due to its chemical inertness and other favorable properties. Applicants have discovered that PTFE has a significant problem – particle shedding – and that such problem is a severe impediment to use of PTFE in applications such as the use of PTFE in liners that are

employed to contain liquids for storage and subsequent dispensing of ultra-pure substances, e.g., substances that are used for manufacturing of semiconductor products.

The PTFE heat treating method and resultant article of the invention resolve this particle shedding problem, and thereby achieve a substantial advance in the art. In the instant application, the inherent particle shedding deficiency of PTFE is discussed at pages 1-2 in paragraph [0006] of the specification.

The heat treatment method of the invention has been found to minimize the incidence and extent of particle shedding. For example, particle count reductions of fifteen to almost sixty times those of untreated PTFE are attained, based on the exemplary particle count values set out in paragraph [0048] of the application.

The particle shedding problem is a problem that prior to applicants' invention has not been appreciated by the art, and the art therefore has not contemplated any methodology or approach to resolve such deficiency.

Amended claim 1 has claimed a method of the invention as:

**1. A method comprising:**

**heating a polytetrafluoroethylene material to an elevated temperature;**

**maintaining said heating for a time sufficient to substantially reduce a particle count character of the polytetrafluoroethylene material;**

**fabricating a finished article comprising the polytetrafluoroethylene material; and**

**contacting at least one surface of the finished article comprising the polytetrafluoroethylene material with a substance substantially free of contaminants.**

Claims depending from claim 1 further specify the temperature (e.g., claim 6, reciting “temperature ... between about 130°C and about 260°C”) and the heating time (e.g., claim 7, reciting “time ... between about 20 hours and about 100 hours”), as used to reduce the particle count character of the PTFE.

Further, applicants have claimed the invention in a specific manner in claim 20 with respect to temperature, heating time and particle count character:

**20. A method comprising:**

**exposing a polytetrafluoroethylene film to a temperature in a range of from about 150°C to about 250°C for a time greater than 20 hours, sufficient to reduce particle count of said film to below 10 particles/ml of particles having a diameter of 0.2 micron;**

**fabricating a finished article comprising the polytetrafluoroethylene film; and**

**contacting at least one surface of the finished article comprising the polytetrafluoroethylene film with a substance substantially free of contaminants.**

Further independent claims are directed to a method (claim 10) similar to that of claim 1, and to a container (claim 12) comprising a polytetrafluoroethylene material and adapted to store and dispense a substantially contaminant-free substance.

There exists nothing in Bergman or Derbyshire that in any way teaches, suggests, motivates, or extrapolates to applicants' claimed invention, as discussed more fully hereinafter.

**D. Support For Amended And New Claims**

As noted previously, claims 1, 10, 12-18, and 20 have been amended, and claims 21-27 are newly presented. Substantial support for the new claims is provided in the original disclosure, as provided below.

<u>Claim</u>	<u>Support</u>
1	Original claim 1; paragraphs [0002], [0004]-[0009], [0022]-[0030]
10	Original claim 10; paragraphs [0002], [0004]-[0009], [0022]-[0030]
12	Original claim 12; paragraphs [0002], [0004]-[0009], [0022]-[0030]
13	Original claim 13; paragraphs [0029], [0030], [0039]
14	Original claim 14; paragraphs [0009], [0031], [0040], [0041], [0047]
15	Original claim 15; paragraphs [0009], [0030], [0047]
16	Original claim 16; paragraphs [0003], [0004], [0006]-[0009], [0023]-[0027], [0029], [0030], [0032]
17	Original claim 17; [0002], [0005], [0006]
18	Original claim 18; [0002], [0004]- [0007], [0022], [0024], [0025], [0028], [0033]
20	Original claim 1; paragraphs [0002], [0004]-[0009], [0022]-[0030], [0032], [0048], [0049]
21	Paragraphs [0008], [0023], [0026], [0029], [0031]
22	Original claim 16; paragraphs [0003], [0004], [0006]-[0009], [0023]-[0027], [0029], [0030], [0032]
23	Original claim 2; [0004], [0009], [0024], [0025], [0026], [0028], [0033]
24	Original claim 18; [0002], [0004]- [0007], [0022], [0024], [0025], [0028], [0033]
25	Paragraph [0002]
26	Paragraph [0006]
27	Paragraphs [0009], [0010], [0026]-[0028]

### **E. Claim Rejections**

In the October 9, 2005 Office Action, claims 1-18 were rejected under 35 USC § 102(b) as being anticipated by Bergman. Additionally, claims 1-18 were rejected under 35 USC § 102(b) as being anticipated by Derbyshire, or in the alternative, under 35 USC § 103 as invalid for obviousness over Derbyshire. The disclosures of Bergman and Derbyshire are discussed below, followed by a discussion of the law relating to rejections under § 102 and § 103, which is then followed by arguments for the patentability of claims 1-8, 10-18, and 20-28 as presented herein over each of Bergman and Derbyshire.

#### **1. Disclosure of Bergman**

Bergman discloses a method for processing semiconductor wafers with heat in a heating apparatus including certain components (e.g., inner bowl, bottom wall liner, plug, and bellows) fabricated of TEFLON. (E.g., Bergman, column 13, line 67 - column 14, line 1; col. 16, lines 14-18.)

Bergman further discloses a heating process that is used to volatilize reaction by-products that can form under some conditions on semiconductor wafers (see Bergman, Abstract, lines 16-19).

As stated at column 1, lines 55-58 of Bergman:

**“One of the disadvantages of immersion etching processes is that the wafers typically exhibit an increase in the numbers of particulates which become adhered to or imbedded in the wafer.”** (Bergman, column 1, lines 55-58)

These particulates are further described in column 3, lines 49-68 of Bergman:

**“The inventor hereof has discovered that vapor processing of semiconductor wafers, substrates and similar units using the novel processing described herein can result in the formation**

or [sic – “of” apparently intended] undesirable particulate in some types of processing. The particulate has been manifested in localized deposits, or alternatively, in relatively diffuse layers generally deposited over the entire treated surface of the wafer. In some cases the particulate will be sufficiently concentrated to form a visible haze. In other cases the particulate will only be observable using magnifying instrumentation.

The exact nature of the particulate or particulates which form on the surface of the wafer is not known with certainty. However, it is believed to be one or more fluorosilicates formed by competing side reactions to the removal of silicon oxides by hydrofluoric acid. One possible fluorosilicate which may be formed is  $H_2SiF_6$ , hydrogen hexafluorosilicate. Others compounds or solid phase mixtures may also be present or [sic] the primary particulate being formed.”

Bergman is only concerned with a silicate particle problem caused by vapor etching of silicon wafers using hydrofluoric acid.

## 2. Disclosure of Derbyshire

Derbyshire “relates to processing of sintered polytetrafluoroethylene to render the material readily grindable to fine powders having low average particle size, 10 microns or less, and high melt flow characteristics.” Derbyshire, col. 1, lines 8-12. The resulting fine powders are use as lubricants in inks and other commercial and industrial applications. Derbyshire, col. 1, lines 13-16 & col. 2, lines 32-29. The invention according to Derbyshire includes nondestructive degradation of sintered polytetrafluoroethylene to render it grindable to a fine powder of 10 micron size or less, by irradiating the sintered polytetrafluoroethylene material in the presence of air or oxygen in a range of 45 Mrads to 200 Mrads, heating to temperatures in the range of 150°F. to 600°F. for a period of at least about one-half hour, and grinding. Derbyshire, col. 2, lines 13-21. The alleged advantage of Derbyshire’s process is to substantially reduce the cost obtaining fine powders from processing sintered polytetrafluoroethylene, which is abundant and relatively

inexpensive (i.e., relative to unsintered polytetrafluoroethylene). Derbyshire, col. 2, lines 32-44 and col. 1, lines 13-29.

### **3. Law Regarding Anticipation**

In order for a §102(b) rejection of claims to be legally proper, the single cited reference must meet the criteria stated in MPEP §706.02, i.e., the cited reference:

**“must teach every aspect of the claimed invention either explicitly or implicitly. Any feature not directly taught must be inherently present.”** (MPEP §706.02, Rejection on Prior Art [R-1]).

The governing law of CAFC decisions is consistent with such MPEP standard:

“Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration.” *W.L. Gore & Assocs. v. Garlock*, 721, F.2d 1540, 220 USPQ 303 at 313 (Fed. Cir. 1983), *cert. denied*, 469 U.S. 851 (1984). It is not enough that the prior art reference disclose all the claimed elements in isolation. Rather, “anticipation requires the presence in a single prior art reference disclosure of each and every element of the claimed invention, arranged as in the claim.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (emphasis added). Further, “[u]nder 35 U.S.C. § 102, anticipation requires that ... the prior art reference must be enabling, thus placing the allegedly disclosed matter in the possession of the public.” *Akzo, N.V. v. United States Int’l Trade Comm’n*, 808 F.2d 1471, 1 USPQ2d 1241, 1245 (Fed. Cir. 1986).

### **4. Law Regarding Obviousness**

Three requirements must be met for a *prima facie* case of obviousness under 35 USC § 103. First the prior art reference(s) must teach all of the limitations of the claims. M.P.E.P. § 2143.03. Second, there must be a motivation to modify the reference or combine the teachings to produce the claimed invention. M.P.E.P. § 2143.01. Third, a reasonable expectation of success is



required. M.P.E.P. § 2143.02. In addition, the teaching or suggestion to combine and the expectation of success must both be found in the prior art and not based on Applicant's disclosure. M.P.E.P. § 2143.

**5. Patentability of Claims 1-18 and 20-27 Over Bergman**

As noted previously, Bergman teaches the use of polytetrafluoroethylene (e.g., TEFLON) materials for certain parts of a heating apparatus.

*a. Patentability of independent claim 1 over Bergman*

Amended claim 1 of the present application contemplates the reduction of a particle count character of a polytetrafluoroethylene material by heating that material to, and maintaining the material at, an elevated temperature. Bergman fails to contemplate any particle count reduction of a polytetrafluoroethylene material. The only particle problem contemplated by Bergman is that of silicate particles caused by vapor etching of silicon wafers by hydrofluoric acid.

Moreover, Berman fails to teach or suggest "fabricating a finished article comprising the polytetrafluoroethylene material," as required by claim 1. Bergman teaches the fabrication of silicon wafers - not the fabrication of finished articles comprising polytetrafluoroethylene material. Moreover, to the extent that the fabricating step is performed after the heating step (such as is claimed in dependent claim 27), this provides another distinction relative to Bergman, because any TEFLON parts disposed in the heating apparatus of Bergman are fabricated long before being subjected to any heating (if at all) in the heating apparatus.

Bergman further fails to teach or suggest "contacting at least one surface of the finished article comprising the polytetrafluoroethylene material with a substance substantially free of contaminants," as required by claim 1. For example, Bergman specifically refers to the presence

of “undesirable particulates,” such as fluorosilicates, in the heating apparatus, and states that “other compounds or solid phase mixtures may also be present [of] the primary particulates being formed.” E.g., Bergman, column 3, lines 49-68.

Since Bergman fails to disclose each and every element of claim 1, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 1 cannot be anticipated by Bergman. Similarly, since “teaching [in the prior art reference(s)] of all of the limitation of the claims” (M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 1 cannot be invalid for obviousness over Bergman.

*b. Patentability of independent claim 10 over Bergman*

Amended claim 10 of the present application contemplates the reduction of a particle count character of a polytetrafluoroethylene material by heating that material to about 228°C for sufficient time to attain said reduction. As noted previously, Bergman fails to contemplate any particle count reduction of a polytetrafluoroethylene material. Instead, the only particle problem contemplated by Bergman is that of silicate particles caused by vapor etching of silicon wafers by hydrofluoric acid.

Moreover, as argued previously with regard to amended claim 1 (such arguments being incorporated by reference and applied to claim 10), Berman fails to teach or suggest both “fabricating a finished article comprising the polytetrafluoroethylene material,” and “contacting at least one surface of the finished article comprising the polytetrafluoroethylene material with a substance substantially free of contaminants” as further required by claim 10.

Since Bergman fails to disclose each and every element of claim 10, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 10 cannot be anticipated by Bergman.

Similarly, since “teaching [in the prior art reference(s)] of all of the limitation of the claims” (M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 10 cannot be invalid for obviousness over Bergman.

*c. Patentability of independent claim 12 over Bergman*

Amended claim 12 of the present application is directed to a “container adapted to store and dispense at least one substantially contaminant-free substance, the container comprising a polytetrafluoroethylene material having a particle count character reduced by application of an elevated temperature thereto.” Bergman teaches the use of a heating apparatus comprising certain integral parts fabricated of TEFLON for processing semiconductor wafers, but fails to teach or suggest any polytetrafluoroethylene container. Bergman similarly fails to disclose a container comprising a polytetrafluoroethylene material having a reduced particle count character. As noted previously Bergman fails to contemplate any particle count reduction of a polytetrafluoroethylene material. Instead, the only particle problem contemplated by Bergman is that of silicate particles caused by vapor etching of silicon wafers by hydrofluoric acid.

Since Bergman fails to disclose each and every element of claim 12, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 12 cannot be anticipated by Bergman. Similarly, since “teaching [in the prior art reference(s)] of all of the limitation of the claims” (M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 12 cannot be invalid for obviousness over Bergman.

*d. Patentability of independent claim 20 over Bergman*

Withdrawn claim 20, which has been amended herewith, is directed to a method comprising multiple steps, including “fabricating a finished article comprising the polytetrafluoroethylene film” and “contacting at least one surface of the finished article comprising the

polytetrafluoroethylene film with a substance substantially free of contaminants.” As argued previously in connection with claims 1 and 10 (with such arguments being incorporated by reference and applied to claim 20), Bergman fails to disclose either of these steps.

Since Bergman fails to disclose each and every element of claim 20, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 20 cannot be anticipated by Bergman. Similarly, since “teaching [in the prior art reference(s)] of all of the limitation of the claims” (M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 20 cannot be invalid for obviousness over Bergman.

*e. Patentability of dependent claims 2-8, 11-18, and 21-28 over Bergman*

Each of dependent claims 2-8, 11-18, and 21-28 depends, either directly or indirectly, from independent claims 1, 10, or 12. Since each of independent claims 1, 10 and 12 have been already been patentably distinguished herein over Bergman, and dependent claims inherently include all the limitations of the claim incorporated by reference into the dependent claim (37 CFR 1.75(c)), dependent claims 2-8, 11-18, and 21-28 are also patentably distinguished over Bergman.

**6. Patentability of Claims 1-18 and 20-27 Over Derbyshire**

As noted previously, Derbyshire teaches the nondestructive degradation of sintered polytetrafluoroethylene to render it grindable to a fine powder of 10 micron size or less for use as a lubricant.

*a. Patentability of independent claim 1 over Derbyshire*

Amended claim 1 of the present application contemplates the reduction of a particle count character of a polytetrafluoroethylene material by heating that material to, and maintaining the material at, an elevated temperature. Derbyshire fails to contemplate any particle count reduction

of a polytetrafluoroethylene material. This fact is recognized by the examiner at page 6 of the October 9, 2005 Office Action: "Derbyshire is silent on the reduction of particle count of polytetrafluoroethylenes." The primary problem overcome by Derbyshire is degradation of sintered polytetrafluoroethylene to render it suitable for grinding into fine particles.

Derbyshire fails to teach or suggest "fabricating a finished article comprising the polytetrafluoroethylene material," as required by claim 1. Indeed, Derbyshire teaches just the opposite – degrading polytetrafluoroethylene and grinding the same into fine particles.

Derbyshire fails to teach or suggest "contacting at least one surface of the finished article comprising the polytetrafluoroethylene material with a substance substantially free of contaminants," as required by claim 1. Not only does Derbyshire fail to teach any finished article of polytetrafluoroethylene, but also it teaches the use of particles as lubricants in inks and other commercial and industrial applications. Derbyshire, col. 1, lines 13-16 & col. 2, lines 32-29. No mention of substantially contaminant-free environments is made.

Since Derbyshire fails to disclose each and every element of claim 1, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 1 cannot be anticipated by Derbyshire. Similarly, since "teaching [in the prior art reference(s)] of all of the limitation of the claims" (M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 1 cannot be invalid for obviousness over Derbyshire.

*b. Patentability of independent claim 10 over Derbyshire*

Amended claim 10 of the present application contemplates the reduction of a particle count character of a polytetrafluoroethylene material by heating that material to about 228°C for sufficient time to attain said reduction. As noted previously, Derbyshire fails to contemplate any

particle count reduction of a polytetrafluoroethylene material; instead, Derbyshire specifically teaches the formation of particles.

Moreover, as argued previously with regard to amended claim 1 (such arguments being incorporated by reference and applied to claim 10), Derbyshire fails to teach or suggest both “fabricating a finished article comprising the polytetrafluoroethylene material,” and “contacting at least one surface of the finished article comprising the polytetrafluoroethylene material with a substance substantially free of contaminants” as further required by claim 10.

Since Derbyshire fails to disclose each and every element of claim 10, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 10 cannot be anticipated by Derbyshire. Similarly, since “teaching [in the prior art reference(s)] of all of the limitation of the claims” (M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 10 cannot be invalid for obviousness over Derbyshire.

*c. Patentability of independent claim 12 over Derbyshire*

Amended claim 12 of the present application is directed to a “container adapted to store and dispense at least one substantially contaminant-free substance, the container comprising a polytetrafluoroethylene material having a particle count character reduced by application of an elevated temperature thereto.” Derbyshire fails to teach such a container; rather, it teaches degradation of a bulk polytetrafluoroethylene material into fine particles.

Since Derbyshire fails to disclose each and every element of claim 12, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 12 cannot be anticipated by Derbyshire. Similarly, since “teaching [in the prior art reference(s)] of all of the limitation of the claims”

(M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 12 cannot be invalid for obviousness over Derbyshire.

*d. Patentability of independent claim 20 over Derbyshire*

Withdrawn claim 20, which has been amended herewith, is directed to a method comprising multiple steps, including “fabricating a finished article comprising the polytetrafluoroethylene film” and “contacting at least one surface of the finished article comprising the polytetrafluoroethylene film with a substance substantially free of contaminants.” As argued previously in connection with claims 1 and 10 (with such arguments being incorporated by reference and applied to claim 20), Derbyshire fails to disclose either of these steps.

Since Derbyshire fails to disclose each and every element of claim 20, arranged as in the claim, as required to support a rejection under 35 USC §102, claim 20 cannot be anticipated by Derbyshire. Similarly, since “teaching [in the prior art reference(s)] of all of the limitation of the claims” (M.P.E.P. § 2143.03) is required to support a *prima facie* case of obviousness, and such teaching is lacking here, claim 20 cannot be invalid for obviousness over Derbyshire.

*e. Patentability of dependent claims 2-8, 11-18, and 21-28 over Derbyshire*

Each of dependent claims 2-8, 11-18, and 21-28 depend, either directly or indirectly, from independent claims 1, 10, or 12. Since each of independent claims 1, 10 and 12 have been already been patentably distinguished herein over Derbyshire, and dependent claims inherently include all the limitations of the claim incorporated by reference into the dependent claim (37 CFR 1.75(c)), dependent claims 2-8, 11-18, and 21-28 are also patentably distinguished over Derbyshire.

**G. Fee Payable For Added Claims**

Fees for claims 1-20 have been previously paid in connection with the filing of the instant application and amendments thereto. By the present Amendment, Applicants have added a net of 7 total claims (i.e., addition of claims 21-28 and cancellation of claim 9). The fee for such added claims [calculated as  $(7 \times \$50 =) \$350$  under 1.16(h)] is included in the amount of \$470 (which also includes the one-month extension fee of \$120 under 37 CFR 1.17 (a) (1) – see following sub-section H.) hereby authorized to be charged to the credit card specified in the Credit Card Payment Form PTO-2038 enclosed herewith.

**H. Fee Payable For One Month Extension of Time**

Petition hereby is made under the provisions of 37 CFR 1.136 for a one-month extension of the three-month term set in the August 9, 2005 Office Action, to extend the deadline for reply to the Office Action to December 9, 2005.

The fee of \$120 specified in 37 CFR 1.17 (a) (1), together with the added claims fee of \$350 determined in the preceding sub-section, for a total of \$470, is hereby authorized be charged to the credit card specified in the Credit Card Authorization Form PTO-2038 enclosed herewith.

Authorization also is hereby given to charge the amount of any additional fee or charge properly payable in connection with the filing and entry of this Amendment, to Deposit Account No. 08-3284 of Intellectual Property/Technology Law.

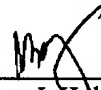


### CONCLUSION

The restriction and withdrawal of claim 20 is improper; such action should be rescinded and the claim should be restored to active status for examination and allowance.

Claims 1-8, 10-18, and 20-28 have been fully distinguished over the cited references, and are in form and condition for allowance. Issuance of a Notice of Allowance for the application is therefore requested. If any issues remain outstanding, incident to the formal allowance of the application, the Examiner is requested to contact the undersigned attorney at (919) 419-9350 to discuss same, in order that this application may be allowed and passed to issue at an early date.

Respectfully submitted,



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